



IOWA LEGISLATIVE INTERIM CALENDAR AND BRIEFING

Legislative Services Agency

September 28, 2005

2005 Interim No. 10

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Tuesday, October 4, 2005

New Iowans Study Committee—Public Hearing

6:00 p.m., Indian Hills Community College, Advanced Tech. Center, Room 21, Ottumwa

Wednesday, October 5, 2005

Medical Malpractice Study Committee

9:00 a.m., Room 22, Statehouse

Thursday, October 6, 2005

New Iowans Study Committee—Public Hearing

6:00 p.m., Davenport West High School Cafeteria, Davenport

Tuesday, October 11, 2005

Motor Vehicle Dealers Study Committee

9:00 a.m., Room 24, Statehouse

Tuesday, October 11, 2005

Administrative Rules Review Committee

9:00 a.m., Room 116, Statehouse

Tuesday, October 18, 2005

Nursing Staff in Hospitals Study Committee

10:00 a.m., Room 116, Statehouse

Friday, October 21, 2005

Genetically Modified Organisms Study Committee

10:00 a.m., Room 22, Statehouse

Tuesday, October 25, 2005

Targeted Jobs Withholding Tax Credit Study Committee

9:00 a.m., City Council Chambers, 405-6th St., Sioux City

Wednesday, October 26, 2005

Targeted Jobs Withholding Tax Credit Study Committee

10:00 a.m., City Council Chambers, 405-6th St., Sioux City

Wednesday, October 26, 2005

Sexual and Other Criminal Offenses, Criminal Penalties, and Sentencing Practices Study Committee

10:00 a.m., Room 116, Statehouse

Friday, October 28, 2005

Medical Assistance Projections and Assessment Council

10:00 a.m., University of Iowa, Eckstein Medical Research Building, Room 283

Monday, October 31, 2005

Government Oversight Committee

Time and location to be announced.

Tuesday, November 1, 2005

Government Oversight Committee

Time and location to be announced.

Thursday, November 3, 2005

Judicial District and Judicial Resources Study Committee

10:00 a.m., Room 22, Statehouse

November

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Iowa Legislative Interim Calendar and Briefing is published by the Legislative Services Agency (LSA). For additional information, contact: LSA at (515) 281-3566.



AGENDAS

INFORMATION REGARDING SCHEDULED MEETINGS

New Iowans Study Committee—PUBLIC HEARINGS

Temporary Co-chairperson: Senator Joe Bolkcom

Temporary Co-chairperson: Senator Paul McKinley

Temporary Co-chairperson: Representative Mary Lou Freeman

Dates, Times, and Locations: Tuesday, October 4, 2005, at 6:00 p.m., Indian Hills Community College, Advanced Tech. Center, Room 21, Ottumwa

Thursday, October 6, 2005, at 6:00 p.m., Davenport West High School Cafeteria, Davenport

Legislative Services Agency Contact: Tim McDermott, Legal Services, (515) 281-3444

Tentative Agenda: Receive testimony regarding education, human services, workforce, public safety, and other public policies of concern to New Iowans.

Internet Page: <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=75>

Medical Malpractice Study Committee

Temporary Co-chairperson: Senator Bob Brunkhorst

Temporary Co-chairperson: Senator Keith Kreiman

Temporary Co-chairperson: Representative Kraig Paulsen

Location: Room 22, Statehouse

Date & Time: Wednesday, October 5, 2005, at 9:00 a.m.

Legislative Services Agency Contacts: Rachele Hjelmaas, Legal Services, (515) 281-8127; Ann Ver Heul, Legal Services, (515) 281-3837; Jennifer Acton, Fiscal Services, (515) 281-7846; Russ Trimble, Fiscal Services, (515) 281-4613

Tentative Agenda: Presenters will include Ms. Susan Voss, the Iowa Insurance Commissioner, National Conference of State Legislative staff, and other invited parties. In addition, interested parties may present information at the end of the meeting, but must submit written materials prior to the meeting and limit comments to 5 minutes. Contact Rachele Hjelmaas at rachele.hjelmaas@legis.state.ia.us

Internet Page: <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=72>

Motor Vehicle Dealers Study Committee

Temporary Co-chairperson: Senator Matt McCoy

Temporary Co-chairperson: Senator John Putney

Temporary Co-chairperson: Representative Scott Raecker

Location: Room 24, Statehouse

Date & Time: Tuesday, October 11, 2005, 9:00 a.m.

Legislative Services Agency Contacts: Ann Ver Heul, Legal Services, (515) 281-3837; Susan Crowley, Legal Services (515) 281-3430; Mary Beth Mellick, Fiscal Services, (515) 281-8223

Tentative Agenda: Adoption of rules, election of Co-chairpersons, presentations by Iowa Automobile Dealers Association, Iowa Auto Dealers Association for Fair Competition, Iowa Auto Dealers for Equal Opportunity, and Iowa Independent Automobile Dealers Association.

Internet Page: <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=73>

Administrative Rules Review Committee

Chairperson: Representative George Eichhorn

Vice Chairperson: Senator Jack Kibbie

Location: Room 116, Statehouse

Date & Time: Tuesday, October 11, 2005, at 9:00 a.m.

Contact Person: Joe Royce, Legal Counsel, Administrative Rules (515) 281-3084

Agenda: Published in the Iowa Administrative Bulletin <http://www.legis.state.ia.us/Rules/Current/Bulletin/>.

Nursing Staff in Hospitals Study Committee

Temporary Co-chairperson: Senator Joe Bolkcom

Temporary Co-chairperson: Senator James Seymour

Temporary Co-chairperson: Representative Linda Upmeyer

Location: Room 116, Statehouse

Date & Time: Tuesday, October 18, 2005, 10:00 a.m.

Legislative Services Agency Contacts: Rick Nelson, Legal Services (515) 242-5822; Kathy Hanlon, Legal Services, (515) 281-3847; Lisa Burk, Fiscal Services (515) 281-7942

Agenda: To be announced.

Internet Page: <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=76>



BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

GOVERNMENT OVERSIGHT COMMITTEE

September 19 and 20, 2005

Co-chairperson: Senator Mary Lundby

Co-chairperson: Senator Thomas Courtney

Co-chairperson: Representative Dwayne Alons

Overview. The primary focus of the meeting concerned presentations relating to the operation and work products of Iowa Prison Industries; the need for preservation, storage, and retrieval of important documents by state agencies; an update regarding duplicative programs within the Department of Human Services and the Iowa Department of Public Health; the bid process utilized by the Department of Natural Resources in selecting a Permanently Moored Vessel Program coordinator; a discussion regarding expanded service options relating to gamblers treatment assistance; issues relating to electronic and mechanical devices and social gaming; and a subcommittee meeting concerning starvation and dehydration of persons with disabilities prevention.

Iowa Prison Industries. After preliminary remarks by Mr. Gary Maynard, Iowa Department of Corrections, presenting statistics regarding the number of inmates involved in work activities at state correctional institutions, Mr. Roger Baysden, Iowa Prison Industries (IPI), provided an overview of the operation of IPI. Mr. Baysden stated that the organization's mission is to employ staff and inmates dedicated to providing exceptional service, reasonable prices, and quality products, with the objective of enhancing offender chances for successful reentry into society. Mr. Baysden indicated that IPI is entirely self-supporting, and summarized the work hours and activities of inmates involved in traditional, private sector, and farm-related functions. The membership and role of the IPI Advisory Board was identified, and financial data for the various functions at specified correctional institutions presented. Mr. Baysden also characterized customer satisfaction surveys as favorable, and related state agency vs. nonstate agency sales trends. Committee discussion included detailed questions regarding the farm work activities, supervision of inmates, and allocation of stipends and wages earned.

Preservation, Storage, and Retrieval of State Agency Documents. Representatives from several state agencies discussed the necessity for and efforts regarding document preservation, storage, and retrieval, with an emphasis on the prevention of document deterioration:

- Mr. John Baldwin, Department of Corrections, stated that a large number of paper documents dating back to the mid-1800s are currently being stored, and that securing funding for transferring the documents to a more modern and effectively maintained form is an issue.
- Mr. Anthony Carroll, Office of the Secretary of State, related that the office's filings and forms have been stored on microfilm since 1993, financed through funding received and an increase in filing fees.
- Mr. David Boyd, Judicial Branch, described the large volume of records generated and maintained by the courts system, indicated that the courts are moving toward digitalized storage, and discussed efforts to ensure document security through contracts with agencies to test the ability to gain unauthorized access.
- Mr. Tom Newton, Iowa Department of Public Health, cited the necessity for departmental compliance with federal and state regulations regarding confidentiality and access, and indicated that the department is moving toward more automated storage.
- Mr. John Gillespie, Department of Administrative Services, and Mr. Gordon Hendrickson, State Archivist, Department of Cultural Affairs, addressed storage and public access of state records of historical significance, including the routine segregation and destruction of documents, archiving of records on an enterprisewide basis, and the need to establish uniform policies to preserve records, including electronic mail communications. Mr. Hendrickson noted that the federal government is developing a multimillion dollar system for the storage and access of federal records, and expressed the hope that the same technology might eventually be available for use at the state level.

Committee discussion included the extent to which storage costs might be redirected to document transfer, frequency of access requests over time, charges for document copies, and the relative value of permanently retaining vast numbers of historical records.

Duplicative Programs – Update. Mr. Eugene Gessow, Medicaid Director of the Department of Human Services, and Ms. Janet Zwick, Deputy Director of the Department of Public Health, provided an update of a 2003 report concerning areas of collaboration and potential collaboration between the departments, including the implementation of the IowaCare Act (includes an initiative for providing new smoking cessation benefits to Medicaid clients), the Medical Assistance Advisory Council (charged to make budget, policy, and administrative recommendations regarding Medicaid programs), and the Co-occurring Policy Academy (addressing issues relating to mental health and substance abuse).



BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

(Government Oversight Committee continued from Page 3)

Committee discussion included issues relating to the regulation of child care providers, lead abatement programs, and smoking prevention and cessation programs. Discussion also included whether the legal use of tobacco products can be considered substance abuse, with Ms. Zwick requested to obtain information regarding funding for tobacco cessation and the rate of reduction in smoking.

Department of Natural Resources – Bid Process. Mr. Jon Tack, Legal Counsel, Legal Services Bureau of the Department of Natural Resources, explained the department's process of selecting an inspection program coordinator as part of the Permanently Moored Vessels (PMV) Program to inspect casino "riverboats" once the United States Coast Guard relinquishes jurisdiction over the inspections of the vessels. According to Mr. Tack, the department consulted with the Racing and Gaming Commission, the Iowa Racing Association, and the Coast Guard before issuing a request for proposals and selecting Marine Safety Experts, Inc. over two other bidders, including U.S. Inland Marine Surveying, Inc., a Muscatine-based business which had submitted a proposal containing the lowest bid amount. Mr. Tack stated that in evaluating proposals, the department's scoring criteria did not weigh the bid amount as highly as public safety issues. He noted that the cost of administering the program is supported by casino fees rather than General Fund moneys.

Mr. Wes Ehrecke, a lobbyist representing the Iowa Racing Association, stated that he had served as the contact person for a task force which developed a PMV inspection manual on behalf of the department. Mr. Mike Baxter, representing U.S. Marine Surveying, Inc., maintained that in preparing the PMV inspection manual that was ultimately used as the basis for department rules and the request for proposals, the task force relied upon Mr. Clay Fust, whose company, Marine Safety Experts, Inc., was ultimately awarded the contract. Mr. Baxter also noted that his proposal addressed safety issues, including the inspection of the hulls of these vessels, which was not addressed in the manual.

Committee discussion included noting that the consideration and adoption of rules is an open process, and expressing reservations regarding the selection process, including the Iowa Racing Association's role, the weighting of the scoring criteria, whether proper consideration of the statutory in-state business bidding preference requirements was given, and the influence in the process of the successful bidder. Committee members agreed to submit a request for an Attorney General's Opinion regarding these issues.

Gamblers Treatment Assistance. Mr. Frank Biagioli, Iowa Department of Public Health, provided a status report on the addition of residential treatment services as an expanded service option for gambling treatment. Mr. Biagioli stated that transitional housing services contracts were awarded to three applicants providing transitional housing services to 17 individuals in a residential status in a gambling treatment program funded by the department who have no other housing alternatives or whose housing alternatives are not conducive to recovery. He also summarized other 2005 fiscal year gambling treatment program expansion efforts and presented a fiscal year 2006 funding plan.

Ms. Lisa Pierson, Central Iowa Gambling Treatment Program, accompanied by other service providers, noted that progress has been made regarding the previously identified issues of crises call access, financial counseling services, and lag time from submission of service provider billing to receipt of payment. She identified the need for greater program accountability and expressed concern regarding the development of the 2006 fiscal year budget and lack of input by Gambling Treatment Advisory Committee members.

Committee discussion included why \$1.5 million in the fiscal year 2005 budget was not expended, whether the funding remains available for the 2006 fiscal year, and whether the funds are segregated, with a request for additional information from the department regarding a budget incorporating the unexpended funding. Members also noted the lack of transitional housing services in eastern Iowa, which presents a relatively high gambling capacity, and suggested that a more proactive effort than the request for proposals process be engaged in to publicize the availability of transitional housing services funding. It was determined that a subcommittee will be established to monitor this area.

Electronic and Mechanical Amusement Devices/Social Gaming. Ms. Jean Davis, Department of Inspections and Appeals, addressed the Committee regarding issues which have arisen in connection with an administrative rule requiring the submission of a number count on a semiannual basis by amusement device licensees, and regarding the application of statutory requirements to special class "C" liquor licensees. Ms. Davis indicated that the rule represented a curtailment from the department's original intent to require additional and more numerous reports, and that the information submitted would be considered confidential.

Mr. Bill Wohlers, Iowa Operators of Music and Amusement, maintained that self-policing by licensees has proven effective, that the information requested is personal and should only be submitted to the Department of Revenue, and that compliance on a semiannual basis would be burdensome for licensees.



BRIEFINGS

INFORMATION REGARDING RECENT ACTIVITIES

(Government Oversight Committee continued from Page 4)

Mr. Joe Diaz, Department of Public Safety, Division of Criminal Investigation, expressed the desire for an ability to issue citations in addition to seizure of equipment where violations have been detected.

Committee discussion included concerns regarding the number of such devices being installed in convenience stores, the installation of such devices in businesses which do not possess a liquor license, questions regarding adequate oversight, and public perception regarding whether the use of such devices constitutes gambling.

Regarding social gambling, Ms. Davis stated that Iowa law provides for the prohibition of all gambling unless expressly authorized by statute. She indicated that social gambling is governed by Iowa Code Chapter 99B, and provided an overview of the several specific exceptions to the general prohibition contained in the statute. Committee discussion included the application of the statute to increasingly popular forms of social gambling, such as Texas Hold' Em poker, with the general consensus that the provisions can appear ambiguous, confusing, and result in unintentional violation. Members requested that the Department of Inspections and Appeals provide recommendations for improvements in the statute, as well as the development of a public information pamphlet that would provide guidance regarding the statute's provisions.

Starvation and Dehydration of Persons With Disabilities—Subcommittee Meeting. The following representatives from the medical and legal communities presented testimony at the subcommittee meeting on House Study Bill 302 (an Act creating a Starvation and Dehydration of Persons With Disabilities Prevention Act and providing remedies) chaired by Representative George Eichhorn and attended by subcommittee member Representative Dwayne Alons: Ms. Lynn Boes, an attorney representing the Iowa Nurses Association; Dr. Roberta Wattleworth, representing the Iowa Osteopathic Medical Association; Mr. Bob Doph, an attorney representing the Iowa Right to Life Committee; Ms. Sally Reavely, an attorney representing the Iowa Bar Association; Dr. John Murphy and Dr. Richard Dobyns, representing the Iowa Academy of Family Physicians; and Dr. Norma Hirsch, representing the Iowa Medical Society.

Next Meeting. The next meeting is scheduled for October 31 and November 1, 2005. Meeting times and location to be announced.

LSA Contacts. Legislative Services Agency Contacts: Rick Nelson, Legal Services, (515) 242-5822; Doug Wulf, Fiscal Services, (515) 281-3250; Sam Leto, Fiscal Services, (515) 281-6764

Internet Page: <http://www3.legis.state.ia.us/ga/committee.do?id=41>

LEGISLATIVE STAFF CHANGES

An update concerning changes in legislative staff employment.

Josh Bronsink. Josh Bronsink, Research Analyst with the Senate Republican Caucus Staff, has accepted the position of Vice President of Public Affairs with the SUMO Group Inc. of Des Moines, and will start his new position in October. Josh joined the Senate staff in 2001 and has provided research and support for the Rules and Administration, State Government, and Transportation standing committees and the Health and Human Services and Transportation, Infrastructure, and Capitals joint appropriations subcommittees.

Kerri Johannsen. Kerri Johannsen has commenced employment with the Fiscal Services Division of the Legislative Services Agency, assigned to the Joint Appropriations Subcommittee on Health and Human Services, specifically to Medicaid issues. Kerri recently obtained a Master's Degree in Public Policy from the University of Minnesota and has legislative experience with the Minnesota Legislature.

Kristin Gray. Kristen Gray has commenced legislative employment with the House Republican Caucus Staff, assigned to the Committees on Economic Growth and Natural Resources and the Joint Appropriations Subcommittee on Economic Growth. Previously, Kristen was employed as assistant general counsel at West Bank.

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